

Chairman Rod Johnson called the regularly scheduled meeting to order at 9:00 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present. Chairman Johnson invited the public to address the Commission and announced that a copy of the Nebraska Open Meetings Act was posted in the meeting room. No announcements were made.

#### GENERAL ADMINISTRATION

Notice was duly published April 3, 2012 on Page 7 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on April 10, 2012 at 10:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln. A corrected notice was published April 9, 2012 on Page 5 of The Daily Record that the regular public meeting of the Commissioners of the Nebraska Public Service Commission would be held on April 10, 2012 at 9:00 a.m. in the Commission Hearing Room, 300 The Atrium, 1200 N Street, Lincoln.

Attention was called to the following proceedings:

Tuesday, April 10, 2012 through Wednesday, April 11, 2012:

- 10:00 Commission Hearing Room, Lincoln. Commissioner Rod Johnson presiding as Hearing Officer.
- B-1121 In the Matter of Happy Cab Co., dba Checker Cab Co., Omaha, Supp. 6 seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes.
- B-1122 In the Matter of Happy Cab, dba Yellow Cab Co., Omaha, Supp. 6 seeking authority as a common carrier in Nebraska intra-state commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes.
- B-1215 In the Matter of Happy Cab Co., dba Happy Cab, Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes.

GENERAL ADMINISTRATION (Cont.)

Tuesday, April 10, 2012 through Wednesday, April 11, 2012:

B-1410        In the Matter of DonMark, Inc., dba Cornhusker Cab Company,  
Supp. 1        Papillion, seeking authority as a common carrier in  
Nebraska intrastate commerce in the transportation of pas-  
sengers by taxi in Lancaster County, and between points in  
Lancaster County, on the one hand, and, on the other hand,  
points in Nebraska over irregular routes. RESTRICTION: The  
transportation of railroad train crews and their baggage is  
not authorized. HHS Designation: Yes.

B-1744        In the Matter of Valor Transportation Company, Omaha, seek-  
Supp. 1        ing authority as a common carrier in Nebraska intrastate  
commerce in the transportation of passengers by taxi in  
Lancaster County, and between points in Lancaster County,  
on the one hand, and, on the other hand, points in Nebraska  
over irregular routes. RESTRICTION: The transportation of  
railroad train crews and their baggage is not authorized.  
HHS Designation: Yes.

Thursday, April 12, 2012:

2:00        Commission Hearing Room, Lincoln.  
NUSF Advisory Board Meeting

COMMUNICATIONS DEPARTMENT

Gene Hand introduced the Broadband Planning Team members  
who presented the Commission with an update on planning activities.

AD-534r       In the Matter of the Application of Brian Sullivan, Fort  
Edward, New York, seeking authority to register the connec-  
tion of an automatic dialing-announcing device in Los Angeles, Cali-  
fornia: Motion made by Commissioner Tim Schram, seconded by Commis-  
sioner Jerry Vap, to enter an order granting the application. Motion  
passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim  
Schram, and Jerry Vap voting AYE.

C-4447        In the Matter of the Application of Qwest Corporation d/b/a  
CenturyLink QC, Denver, Colorado, seeking approval of a  
wireline SGAT Interconnection Agreement with Spectrotel, Inc., Nep-  
tune, New Jersey: Motion made by Commissioner Anne Boyle, seconded by  
Commissioner Frank Landis, to enter an order approving the applica-  
tion. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank  
Landis, Tim Schram, and Jerry Vap voting AYE.

COMMUNICATIONS DEPARTMENT (Cont.)

Gene Hand discussed TRS Late-Filed Carrier Remittances: Motion made by Commissioner Tim Schram, seconded by Commissioner Frank Landis, that one-time waivers be issued to Nextel West Corporation, NPCR Inc. d/b/a Nextel of Nextel Partners, Sprint PCS, and Virgin Mobile USA, LLC. Motion passed with Commissioners Anne Boyle, Rod Johnson, Tim Schram, Frank Landis, and Jerry Vap voting AYE.

C-4448/ In the Matter of the Application of Pinpoint Wireless, Inc.  
NUSF-79 d/b/a Blaze Wireless, Cambridge, seeking authority for  
designation as wireless Eligible Telecommunications  
Carrier. Commissioner Jerry Vap presiding as Hearing Officer: Gene Hand informed the Commission that Hearing Officer Orders were issued April 3, 2012 granting formal intervention, and April 5, 2012 scheduling a planning conference for April 12, 2012 at 2:30 p.m. in the Niobrara Conference Room, Lincoln.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT

911-055/ In the Matter of the Commission, on its own motion, seeking  
PI-182 to investigate and revise wireless tower testing standards  
and procedures pursuant to the Enhanced Wireless 911 Services Act, Neb. Rev. Stat. § 86-442 et seq: Sue Vanicek discussed the Hearing Officer's Order entered April 4, 2012 continuing the workshop previously scheduled for April 10, 2012 to May 1, 2012 at 2:30 p.m. in the Commission Hearing Room, Lincoln. A telephone bridge has been established at 1-888-820-1398, attendee code 5582059.

NUSF-4, In the Matter of the Commission, on its own motion, seeking  
PO #17 to determine the level of the fund necessary to carry out  
the Nebraska Telecommunications Universal Service Fund Act:  
Motion made by Commissioner Jerry Vap, seconded by Commissioner Frank Landis, to enter an order scheduling a hearing for May 1, 2012 at 1:30 p.m. in the Commission Hearing Room, Lincoln. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. Commissioner Frank Landis was appointed as Hearing Officer.

NUSF-37. In the Matter of Sue Vanicek, Director of the Nebraska  
263 Telecommunications Infrastructure and Public Safety Department, Nebraska Public Service Commission, Complainant, v. NobelTel, LLC, Respondent: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to enter an order dismissing the complaint. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

Sue Vanicek discussed the Hearing Officer's Planning Conference Order entered April 5, 2012 scheduling May 7, 2012 as the deadline for pre-filed direct testimony and May 21, 2012 as the deadline for pre-filed reply testimony. Additionally, a hearing has been scheduled for May 30, 2012 at 1:30 p.m. in the Commission Hearing Room, Lincoln, continuing to May 31, 2012 at 10:00, if needed, for Dockets NUSF-77.01, PO #5 through NUSF-77.07, PO #5. Commissioner Frank Landis presiding as Hearing Officer.

NUSF-77.01 In the Matter of the Petition of the Nebraska Telecommunications Association for Investigation and Review of Processes and Procedures Regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Mobius Communications Company.  
PO #5

NUSF-77.02 In the Matter of the Petition of the Nebraska Telecommunications Association for Investigation and Review of Processes and Procedures Regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Citizens Telecommunications Company of Nebraska d/b/a Frontier Communications of Nebraska.  
PO #5

NUSF-77.03 In the Matter of the Petition of the Nebraska Telecommunications Association for Investigation and Review of Processes and Procedures Regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Nyecom Teleservices, Inc./ Plainview Telephone Company.  
PO #5

NUSF-77.04 In the Matter of the Petition of the Nebraska Telecommunications Association for Investigation and Review of Processes and Procedures Regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Great Plains Communications.  
PO #5

NUSF-77.05 In the Matter of the Petition of the Nebraska Telecommunications Association for Investigation and Review of Processes and Procedures Regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from Consolidated Telephone Company:  
PO #5

NUSF-77.06 In the Matter of the Petition of the Nebraska Telecommunications Association for Investigation and Review of Processes and Procedures Regarding the Nebraska Universal Service Fund: Application to the Nebraska Broadband Pilot Program (NEBP) received from N.E. Colorado Cellular, Inc., d/b/a Viaero Wireless.  
PO #5

TELECOMMUNICATIONS INFRASTRUCTURE AND PUBLIC SAFETY DEPARTMENT (Cont.)

NUSF-77.07 In the Matter of the Petition of the Nebraska Telecommuni-  
PO #5 cations Association for Investigation and Review of Pro-  
cesses and Procedures Regarding the Nebraska Universal  
Service Fund: Application to the Nebraska Broadband Pilot  
Program (NEBP) received from CenturyLink.

NUSF-79/ In the Matter of the Application of Pinpoint Wireless,  
C-4448 Inc., d/b/a Blaze Wireless, Cambridge, seeking designation  
as a wireless Eligible Telecommunications Carrier: Commis-  
sioner Jerry Vap presiding as Hearing Officer: This matter was dis-  
cussed during the Communication's Department agenda.

NATURAL GAS DEPARTMENT

NG-0066 In the Matter of gas supply cost adjustment schedules im-  
plemented by Black Hills/Nebraska Gas Utility Company, LLC,  
d/b/a Black Hills Energy, Omaha, pursuant to Neb. Rev. Stat. sec.  
66-1854. Commissioner Frank Landis presiding as Hearing Officer:  
Motion made by Commissioner Frank Landis, seconded by Commissioner  
Anne Boyle, to enter an order adopting staff recommendations and clos-  
ing the docket. Motion passed with Commissioners Anne Boyle, Rod John-  
son, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Anne Boyle, seconded by Commis-  
sioner Tim Schram, to schedule a workshop for June 18, 2012 at 1:30  
p.m. in the Commission Hearing Room, Lincoln for NorthWestern Energy  
representatives to present a Nebraska utility operations update.  
Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank  
Landis, Tim Schram, and Jerry Vap voting AYE.

LEGISLATIVE

Angela Melton discussed pending legislation.

TRANSPORTATION DEPARTMENT

Motion made by Commissioner Frank Landis, seconded by Com-  
missioner Anne Boyle, to enter an order denying the applicant's Motion  
for Reconsideration of the Hearing Officer's Order on applicant's  
Motion to Compel Responses to Discovery in the Dockets B-1121, B-1122,  
B-1215, B-1410, and B-1744. Motion passed with Commissioners Anne  
Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting  
AYE. Commissioner Rod Johnson presiding as Hearing Officer.

TRANSPORTATION DEPARTMENT (Cont.)

- B-1121  
Supp. 6      In the Matter of Happy Cab Co., dba Checker Cab Co., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes:
- B-1122  
Supp. 6      In the Matter of Happy Cab dba Yellow Cab Co., Omaha, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes:
- B-1215  
Supp. 4      In the Matter of Happy Cab Co., dba Happy Cab, Omaha, commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes:
- B-1410  
Supp. 1      In the Matter of DonMark, Inc., dba Cornhusker Cab Company, Papillion, seeking authority as a common carrier in Nebraska intrastate commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes:
- B-1744  
Supp. 1      In the Matter of Valor Transportation Company, Omaha, intrastate commerce in the transportation of passengers by taxi in Lancaster County, and between points in Lancaster County, on the one hand, and, on the other hand, points in Nebraska over irregular routes. RESTRICTION: The transportation of railroad train crews and their baggage is not authorized. HHS Designation: Yes:

TRANSPORTATION DEPARTMENT (Cont.)

Rate Division

LR-328 In the Matter of Tailored Dreams Limousine and Sedan Service, Lincoln, seeking authority to set its rates and charges: Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to enter an order granting the application as amended. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

TR-190 In the Matter of the Omaha cab companies, Omaha, seeking authority to establish its rates and charges: Upon agreement of all Commissioners, a hearing was scheduled for April 10, 2012, at 10:00 a.m. in the Commission Hearing Room, Lincoln. Commissioner Rod Johnson presiding as Hearing Officer.

MR-930 In the Matter of Movers and Warehouse Division, Nebraska Motor Carriers Association, Lincoln, seeking authority to establish a fuel surcharge in Nebraska Official Goods Tariff 7F and Tariff 22: The Tariff 7F fuel surcharge was increased to \$1.16 per mile and the Tariff 22 fuel surcharge to \$8.12 per truck per trip.

GRAIN WAREHOUSE DEPARTMENT

GW-1112 In the Matter of Osmond Farm Supply Center, Inc., Osmond, NE: John Fecht discussed the shortage of corn.

GW-2187 In the Matter of the application of 21C Oats, Inc., South Sioux City, NE seeking authority as a grain warehouse pursuant to Neb. Rev. Stat. Section 88-527 and requesting a \$1,000,000.00 deductible on its stock insurance: Motion made by Commissioner Jerry Vap, seconded by Commissioner Tim Schram, to enter an order granting a grain warehouse license and the \$1,000,000.00 requested deductible on stock insurance. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Grain Dealer Division

GD-2920 In the Matter of West Plains Co., Kansas City, MO, seeking cancellation of their grain dealer license: Motion made by Commissioner Anne Boyle, seconded by Commissioner Tim Schram, to cancel the grain dealer license. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

GENERAL ADMINISTRATION

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to approve Commission invoices. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

BroadMap LLC	\$84,346.12
Department of Labor - Unemployment	2,352.00
Thomson Reuters	1,029.48
Voyager	2,081.01

Motion made by Commissioner Jerry Vap, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to authorize Mike Bartels to travel to and attend the Association of Grain Regulatory Officials Annual Conference to be held in Louisville, Kentucky, from July 27 to August 2, 2012 with all expenses to be paid by the Commission. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE.

Motion made by Commissioner Tim Schram, seconded by Commissioner Anne Boyle, to approve the Executive Director's recommendation to enter into closed session to discuss pending litigation. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. The Commission entered into closed session at 9:38 a.m.

Motion made by Commissioner Frank Landis, seconded by Commissioner Tim Schram, to approve the Executive Director's recommendation to return to open session. Motion passed with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Jerry Vap voting AYE. The Commission returned to open session at 9:41 a.m.

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The meeting adjourned at 9:41 a.m. with Commissioners Anne Boyle, Rod Johnson, Frank Landis, Tim Schram, and Gerald Vap present. The next regularly scheduled meeting will be held on April 17, 2012, at 10:00 a.m. with an agenda to be available in the office of the Executive Director at 10:00 a.m. on April 16, 2012.

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Chair man

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Executive Director